

May 1, 2018

Representative Tom Barrett
Michigan House of Representatives
124 North Capitol Avenue
Lansing, MI 48933



RE: Opposition to HB 5917

Dear Representative Barrett:

I write on behalf of the Animal Legal Defense Fund and our roughly 7,200 members and supporters in Michigan in opposition to HB 5917 which will prevent local governments across the state from enacting legislation to prevent the sale of commercially-bred puppies (and kittens) from puppy mills.

The majority of pet stores in the United States currently source from “puppy mills” and “kitten mills” from various states. These “mills” all have one defining characteristic: “the health of the dogs [mothers and puppies] is disregarded in order to maintain a low overhead and maximize profits.”¹ While these puppy mills are subject to USDA regulations, these regulations are woefully inadequate to provide for the basic levels of care, both in terms of physical and psychological well-being, that most Americans would consider appropriate for their pets. Moreover, enforcement issues by the USDA of even these meager standards means that a “USDA-licensed” facility is little guarantee about the health and welfare of a puppy, as breeders have been permitted to maintain a license even upon discoveries of facilities housing puppies in buildings with heat indexes over 100 degrees, allowing puppies to go without veterinary care despite sores on their feet and infected eyes, and depriving dogs of fresh water

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Unsurprisingly, the vast majority of consumers do care about the origin of their puppies and specifically, do not want to support the puppy mill industry and want to purchase from “reputable” breeders only. However, the current pet store model makes it extremely difficult for the consumer to decipher whether or not their puppies are from mills versus reputable breeders, and consumers are often misled by store signage, employee sales pitches, or simply by not being provided with the correct information. Adding to this problem of keeping consumers in the dark, is the government’s decision, in February 2017, to no longer allow USDA inspection reports to be accessible to the public on the agency’s website. When a consumer buys from a pet store, he or she is simply relying upon the retailer’s word as to the puppy’s origin.

Given the realities of the pet store model, approximately 240 local governments (and counting) have listened to their communities and enacted local ordinances prohibiting pet stores from selling dogs and cats (and sometimes additional

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animals) sourced from large-scale commercial breeders. Instead, pet stores must offer animals available for adoption from rescues and animals shelters. This trend continues on the state-level, as California became the first state, in 2017, to pass a state-wide law prohibiting pet stores from sourcing from large-scale commercial breeders. Such measures are crucial in protecting numerous animals from abuse at the hands of large-scale breeders, protecting consumers from unknowingly supporting the puppy mill industry and allowing local governments to have laws that reflect the will of the people.



HB 5917 is a dangerous piece of legislation in that it would strip away the ability of local entities to self-govern, simply to benefit one particular industry. Similar bills – bills that preempt local governments from enacting regulations impacting the pet store industry – have been defeated this session in Florida and Georgia, and in prior years in Tennessee and Illinois. These bills are desperate attempts for the pet store industry to preserve its practice, of selling from mills at the expense of animals and consumers, in the face of resistance across the country for this dying business model. In fact, in 2018, six states (Maryland, Massachusetts, Nebraska, New York, Oregon, and Pennsylvania) introduced bills to prohibit sales of commercially-bred animals in retail stores and Maryland's governor recently signed this bill into law.

For these reasons, the Animal Legal Defense Fund opposes HB 5917.

If I can answer any questions or be of further assistance please don't hesitate to reach out at 707-795-2533 ext. 1051 or LLarris@aldf.org.

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Very Truly Yours,

A handwritten signature in black ink that reads "Lindsay Larris".

Lindsay Larris, Esq.
Senior Staff Attorney, Legislative Affairs Department

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